

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL No. 2804

This document relates to:

Case No. 1:17-md-2804

All Cases Noted on Attached Appendix A

JUDGE DAN AARON POLSTER

**STIPULATION AND ORDER
RELEASING AND DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO TRIBAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Tribal Plaintiffs identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendants Allergan Finance, LLC, Allergan Limited, Allergan Sales, LLC, and Allergan USA, Inc. (collectively and together with their Released Entities, the “Settling Defendants”¹) that, pursuant to the election of each Dismissing Plaintiff to participate in the Allergan Tribal Settlement Agreement, dated December 16, 2022, which is binding on the Dismissing Plaintiffs and the Settling Defendants, and which has an Effective Date of February 24, 2023 (a copy of which is attached as Appendix B), all Claims of each Dismissing Plaintiff against any Settling Defendants, including any entity identified on the attached Appendix C, are hereby voluntarily released and **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

¹ All capitalized terms not defined herein shall have the meaning set forth in the Allergan Tribal Settlement Agreement. The Released Entities are each and every entity that is a “Released Entity” as set forth in Section II.DD and Exhibit G of the Allergan Tribal Settlement Agreement, dated as of December 16, 2022, a copy of which is attached as Appendix B. Appendix C, also attached hereto, represents a good faith effort by the Settling Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Settling Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

The Court shall retain jurisdiction with respect to the Allergan Tribal Settlement Agreement to the extent provided under that Agreement.

Dated February 24, 2023

Respectfully Submitted,

Agreed as to form and substance:

/s/ Lloyd Miller

Lloyd Miller / Don Simon / Whitney Leonard
Sonosky, Chambers, Sachse, Miller & Monkman, LLP

/s/ Geoffrey Strommer

Geoffrey Strommer / Caroline Mayhew /
Edmund Goodman
Hobbs, Straus, Dean & Walker, LLP

/s/ Tim Purdon

Tara Sutton / Tim Purdon
Robins Kaplan LLP

/s/ Lynn Sarko

Lynn Sarko
Keller Rohrback L.L.P.

/s/ T. Roe Frazer

T. Roe Frazer
Frazer PLC

/s/ Peter Mougey

Peter Mougey
Levin Papantonio Rafferty

/s/ Scott Gilbert

Scott Gilbert
Gilbert LLP

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser / Dan Drachler / Eric B.
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/s/ Steve Skikos

Jane Joseph / Steve Skikos
Skikos, Crawford, Skikos & Joseph LLP

ALLERGAN DEFENDANTS

/s/ Rebecca Fitzpatrick _____

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Counsel for Settling Defendants

SO ORDERED:

Dated: _____ 3/2/23

/s/Dan Aaron Polster _____
HON. DAN AARON POLSTER
U.S. DISTRICT JUDGE